

**The Statement of the Honorable Mike McIntyre**  
**Regarding H.R. 3470, a Bill to Clarify the Boundaries of Cape Fear Unit NC07P**  
**Made Before the Committee on Resources**  
**Subcommittee on Fisheries Conservation, Wildlife, and Oceans**  
**Thursday, April 11, 2002**

Chairman Gilchrest, Ranking Member Underwood and Members of the Subcommittee. Thank you for holding a hearing on H.R. 3470 a bill to clarify the boundaries of Cape Fear Unit NC07P an "otherwise protected area" (OPA) designated by the Coastal Barrier Improvement Act of 1990. As the sponsor of this legislation, I would like to speak to you in support of the bill.

Congress enacted the Coastal Barrier Resources Act (CBRA) in an effort to address problems caused by coastal barrier development. As you know, CBRA restricts Federal expenditures and financial assistance, including Federal flood insurance, for development on coastal barriers in the CBRAs. In addition, the Coastal Barrier Improvement Act of 1990 added "otherwise protected areas" to the System. OPAs are undeveloped coastal barriers within the boundaries of lands reserved for conservation purposes such as wildlife refuges and parks. While they were not made part of the Coastal Barrier Resources System, the Congress forbade the issuance of new flood insurance or any Federal development-related assistance in OPAs.

The Fish and Wildlife Service has now advised me that the maps of the area known as NC07P are inaccurate. The errors in the maps deny flood insurance to certain property owners on Bald Head Island, North Carolina. The errors result from the problems inherent in translating lines drawn on the large-scale maps used for designations into precise, on-the-ground property lines. However, this problem is now fixable due to improved technology available to the Fish and Wildlife Service. The mistakes that led to the Bald Head Island properties being placed within the outer boundary of NC07P was clearly not intended by Congress when maps were created.

While correcting the lines around Bald Head Island, the Fish and Wild Life Service working with the State of North Carolina and the local communities contained within NC07P identified 2,471 acres that are eligible for addition to NC07P. Therefore, when the 109 acres are removed from the 2,471 that would be added, the net gain to NC07P is 2,362 acres.

As you know, only any act of Congress may revise CBRA boundaries. The statute does not provide authority for an administrative correction of such an error. In the past, Congress has enacted legislation in several instances where the stated purpose was to remove private property from the mapped outer boundary of an otherwise protected area. Furthermore, the technical changes called for in my legislation have the added benefit of vastly increasing the overall acreage in the map. As hurricane season approaches, there are landowners on Bald Head Island who, by no fault of there own, will be left unprotected if a storm hits the lower Cape Fear region. Therefore, this matter requires immediate attention, and I appreciate your prompt consideration of this important bill.

Once again, thank you for allowing me to testify on my legislation, and I urge the subcommittee to report this bill to the full Committee as soon as possible. Thank you.